

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:19-cv-157-D

DIJON SHARPE,

Plaintiff,

v.

TOWN OF WINTERVILLE POLICE  
DEPARTMENT, Officer WILLIAM  
BLAKE ELLIS, in his official  
capacity only, and Officer MYERS  
PARKER HELMS IV, both  
individually and in his official  
capacity,

Defendants.

**REPORT OF THE PARTIES’  
PLANNING MEETING**  
Fed. R. Civ. P. 26(f)

1. The following persons participated in a Rule 26(f) conference on March 12, 2020 by telephone:

Dan M. Hartzog Jr. and Katherine Barber-Jones, representing  
Defendants Town of Winterville, William Blake Ellis, and Myers Parker  
Helms IV; and

T. Greg Doucette, representing Plaintiff Dijon Sharpe.

2. Initial Disclosures. The parties will complete by March 26, 2020, the initial disclosures required by Rule 26(a)(1).
3. Discovery Plan. The parties propose this discovery plan:
  - (a) *Discovery will be needed on these subjects:* The allegations and

claims described in Plaintiff's Complaint and defenses described in Defendants' Answer.

- (b) *Dates for commencing and completing discovery, including discovery to be commenced or completed before other discovery:*  
The parties may take discovery from Thursday, March 12, 2020, through and including Monday, August 3, 2020.
- (c) *Maximum number of interrogatories by each party to another party, along with the dates the answers are due:* No more than 25 written interrogatories, including all discrete subparts, which shall be due within 30 days of service.
- (d) *Maximum number of requests for admission, along with the dates responses are due:* No more than 25 requests for admission, which shall be due within 30 days of service.
- (e) *Maximum number of depositions by each party:* No more than ten (10) depositions by Plaintiff and ten (10) depositions by Defendants.
- (f) *Limits on the length of depositions, in hours:* Seven (7) hours.
- (g) *Dates for exchanging reports of expert witnesses:* Through and including Wednesday, July 1, 2020.
- (h) *Dates for supplementation under Rule 26(e):* Through and

including Friday, November 13, 2020.

- (i) *Any issues about disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced:* Not applicable.
- (j) *Any issues about claims of privilege or of protection as trial-preparation materials, including—if the parties agree on a procedure to assert these claims after production—whether to ask the court to include their agreement in an order under Federal Rule of Evidence 502:* Not applicable at this time.

4. Other Items:

- (a) *A date if the parties ask to meet with the court before a scheduling order:* Not applicable.
- (b) *Requested dates for pretrial conferences:* The parties defer to the court for timing of a final pretrial conference, if applicable.
- (c) *Final dates for the plaintiff to amend pleadings or to join parties:* Wednesday, July 1, 2020, or within fourteen (14) days of the Court's order on Defendants' Partial Motion to Dismiss, whichever comes later.
- (d) *Final dates for the defendant to amend pleadings or to join parties:* Wednesday, July 15, 2020, or within twenty-one (21) days

of the Court's order on Defendants' Partial Motion to Dismiss, whichever comes later.

- (e) *Final dates to file dispositive motions:* Tuesday, September 1, 2020.
- (f) *State the prospects for settlement:* Pursuant to Local Civil Rule 101.1a(b), this matter [Nature of Suit Designation = 440, Civil Rights-Other] is automatically selected for a mediated settlement conference; however, based upon the parties' discussions at the Rule 26(f) conference, this matter is not amenable to settlement at mediation. The parties anticipate filing a motion for exemption from the mediation requirement.
- (g) *Identify any alternative dispute resolution procedure that may enhance settlement prospects and the timing of such procedure:*  
Not applicable.
- (h) *Final dates for submitting Rule 26(a)(3) witness lists, designations of witnesses whose testimony will be presented by deposition, and exhibit lists:* Friday, October 30, 2020.
- (i) *Final dates to file objections under Rule 26(a)(3):* Friday, November 13, 2020.
- (j) *Suggested trial date and estimate of trial length:* Monday,

November 30, 2020; estimated trial length of 4-5 days.

- (k) *Other matters:* The parties currently anticipate that the disputed issues in this case will be resolved as a matter of law, by cross-motions for summary judgment.

Date: March 19, 2020

/s/ Katherine Barber-Jones

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Date: March 19, 2020

/s/ T. Greg Doucette (with permission)

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